

**REMARKS**

Claims 1, 3, 6, 8, 11, 13, 18 and 20 are amended for clarity. No claims are canceled. Claims 1-24 are pending.

**Section 102 - Peters (U.S. Patent 5,717,379)**

Claims 1-4, 6-9, 11-14, 16-21, 23, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Peters (U.S. Patent 5,717,379). Applicant respectfully traverses this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 2 USPQ2d 1051, 1053, (Fed. Cir. 1987). Also, "All words in a claim must be considered in judging patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 165 USPQ 494. 496 (CCPA 1970).

Referring to the language of claim 1 for purposes of illustration, a transmitter for transmitting a data stream is specified. Claim 1 also specifies a camera module

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coupled to the transmitter, which is for taking imagery of a location and converting the imagery to data for inclusion in the data stream. Further specified is apparatus coupled to the transmitter and the video camera module and which is adapted to detect a security breach at the location, and in response thereto activate the camera module and activate the transmitter to transmit a data stream including the data from the camera module, in which the imagery is at least one of audio/video imagery and audio imagery.

Thus, from the language of claim 1 it can be seen that several specific elements are included in the claimed security system. First, there is a transmitter for transmitting a data stream. Second, a camera module is coupled to the transmitter and is for taking imagery of a location and converting the imagery to data for inclusion in the data stream. Third, apparatus is coupled to the transmitter and the video camera module and is adapted to detect a security breach at the location, and in response thereto activate the camera module and activate the transmitter to transmit a data stream including the data from the camera module. Fourth, the imagery is at least one of audio/video imagery and audio imagery. Each of

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these elements specifically describes a feature or structure of the invention.

The four elements of claim 1, which are also in claim 11, are specific components of the claimed invention and specifically describe how the transmitter, the camera module, and the apparatus are arranged, and how the apparatus is responsive to detecting a security breach to activate the camera module and activate the transmitter to transmit a data stream including the data from the camera module. As can be seen from the plain language of the claim 1 and 11, these elements are not simply characteristics that occur naturally or inherently. Clearly, no prior art structure discloses all of the structural features of the claim unless it includes these four elements.

The Examiner rejects claim 1 and claim 11 as anticipated by Peters because Peters discloses a transmitter for transferring a data stream (video telephone BT for transmitting detected video data to a remote central station 2, see Fig. 1, col. 2, lines 52-54 and col. 4, lines 14-19), a camera module coupled to the transmitter for taking imagery and converting the imagery for inclusion

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in the data stream (the cameras C and K, see Figs. 1 and 3, col. 1-5, col. 3, lines 18-45 and col. 4, lines 35-67), and apparatus coupled to the transmitter and the camera module and adapted to detect a security breach at the location and activate the transmitter to transmit including the data from the camera module (the breach or motion sensor for activating the cameras C, K and to transmit detected video data to the remote central station 2, see Fig. 1, col. 2, lines 45-51 and col. 4, lines 24-40). Here the Examiner has cited some structure and based his statement on elements disclosed by Peters.

Applicants' claims 1 and 11 recite apparatus (second apparatus in claim 11) that is coupled to the transmitter and the video camera module, and which is adapted to do three things, namely, 1) detect a security breach at the location and in response thereto 2) activate the camera module and 3) activate the transmitter to transmit a data stream including the data from the camera module. No such structure is taught by Peters.

In particular, the Examiner states that Peters discloses a transmitter for transferring a data stream and identifies in Peters video telephone BT for transmitting

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detected video data to a remote central station 2, citing Fig. 1, col. 2, lines 52-54 and col. 4, lines 14-19. The Examiner further states that Peters further discloses a camera module coupled to the transmitter for taking imagery and converting the imagery for inclusion in the data stream, citing cameras C and K and also Figs. 1 and 3, col. 1-5, col. 3, lines 18-45 and col. 4, lines 35-67. The Examiner still further states that Peters discloses apparatus coupled to the transmitter and the camera module and adapted to detect a security breach at the location and activate the transmitter to transmit including the data from the camera module, citing the breach or motion sensor for activating the cameras C, K and to transmit detected video data to the remote central station 2, and also Fig. 1, col. 2, lines 45-51 and col. 4, lines 24-40. Applicants disagree.

At col. 4, lines 24-26, Peters teaches that the sensor is arranged such that on the occurrence of a special event, such as motion inside a room, a connection with a central station is automatically made. Here Peters does not teach that the sensor is arranged such that on the occurrence of a special event that the sensor activates a camera module and activates the transmitter to transmit a data stream

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including the data from the camera module. At col. 4, lines 24-26, Peters only teaches that the sensor is arranged such that on the occurrence of a special event that a connection with a central station is automatically made. There is no teaching or suggestion in Peters that it would be inherent for anything other than a connection with a central station to be automatically made on the occurrence of a special event.

Considering col. 4, lines 26-40, and particularly lines 44-60, Peters teaches a door intercom system, in which a connection with the central station can be made by the owner or upon the pressing of the door bell. By means of an integrated camera, at lines 51-56 Peters states that "it can be learned who is at the door, and a picture of the person can be taken and stored in memory. Via an additional connection by speech transmission to the central station which may also be a wireless link, a person can state his business and optionally show identification to prove he is an authorized person." Here Peters does not teach that in response to pressing of the doorbell that there is a device or apparatus that activates a camera module and activates the transmitter to transmit a data stream including the data from the camera module. At col.

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4, lines 44-60, Peters only teaches that in response to ringing the doorbell it can be learned who is at the door, and a picture of the person can be taken and stored in memory. Peters does not teach that in response to ringing the doorbell that a picture of the person is automatically taken. Peters only teaches that a picture of the person can be taken and stored in memory. Peters does teach that via an additional connection by speech transmission to the central station which may also be a wireless link, a person can state his business and optionally show identification to prove he is an authorized person. Peters does not teach that the additional connection by speech transmission to the central station is made by a device or apparatus in response to ringing of the doorbell. Peters also does not teach that a picture taken by integrated camera K is transmitted in a data stream or the "additional connection" referred to by Peters at col. 4, line 53.

As previously explained, Applicants' claims 1 and 11 recite apparatus (second apparatus in claim 11) that is coupled to the transmitter and the video camera module, and which is adapted to do three things, namely, 1) detect a security breach at the location and in response thereto 2) activate the camera module and 3) activate the transmitter

to transmit a data stream including the data from the camera module. Again, no such structure is taught by Peters. In fact, on page 2 of the Office Action, Examiner states that Peters discloses apparatus coupled to the transmitter and the camera module and adapted to detect a security breach at the location and activate the transmitter to transmit including the data from the camera module. However, in Applicants' claims the apparatus in response to detecting a security breach activates the camera module and activates the transmitter. The Examiner admits that Peter discloses apparatus coupled to the transmitter and the camera module, and which is adapted to detect a security breach at the location and activate the transmitter. Examiner does not state that the camera module in Peters is also activated. Because Peters simply does not teach apparatus that in response to detecting a security breach activates a transmitter and a camera module, as the Examiner admits, Peters does not, and cannot, function as section 102 prior art against the claims in this case.

Clearly, the structure of Peters does not have all of the structural features of the invention claimed in Applicants' independent claims 1 and 11. Thus, claims 1-4



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and 11-14 are not anticipated by Peters, since each and every element as set forth in the claims is not found, either expressly or inherently described, in Peters.

Referring to the language of claims 6 and 18, a transmitter for transmitting a data stream and for placing a call to a monitoring facility is specified. A camera module coupled to the transmitter is also specified, which is for taking imagery of a location and converting the imagery to data for inclusion in the data stream. Further specified in claims 6 and 18 is apparatus (second apparatus in claim 18) coupled to the transmitter and the video camera module and which is adapted to detect a security breach at the location, and in response thereto activate the camera module and activate the transmitter to place a call to the monitoring facility and transmit a data stream including the data from the camera module, in which the imagery is at least one of audio/video imagery and audio imagery.

The Examiner rejects claims 6 and 18 for the same reasons as set forth in conjunction with claim 1, and Applicants' arguments with respect to the Examiner's rejection of claim 1 apply here. Peters does teach sending

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pictures taken by a video pickup device to a central station via a video telephone. However, as stated above Peters does not teach that the sensor is arranged such that on the occurrence of a special event that the sensor activates the camera module and activates the transmitter to place a call to the monitoring facility and transmit a data stream including the data from the camera module. Furthermore, and as stated above in conjunction with claim 1, Peters does not teach that in response to pressing of the doorbell that there is a device or apparatus that activates a camera module and activates the transmitter to place a call to the monitoring facility and transmit a data stream including the data from the camera module. Again, Peters only teaches that in response to ringing the doorbell it can be learned who is at the door, and a picture of the person can be taken and stored in memory, and further that via an additional connection by speech transmission to the central station which may also be a wireless link a person can state his business and optionally show identification to prove he is an authorized person. There is no teaching or suggestion in Peters that it would be inherent for anything other than a connection with a central station to be automatically made on the occurrence of a special event. Peters does not teach that

the additional connection by speech transmission to the central station is made by a device or apparatus in response to ringing of the doorbell. Peters also does not teach that a picture taken by integrated camera K is transmitted in a data stream or the "additional connection" referred to by Peters at col. 4, line 53.

To belabor a point, Applicants' claims 6 and 18 recite apparatus (second apparatus in claim 18) that is coupled to the transmitter and the video camera module, and which is adapted to do three things, namely, 1) detect a security breach at the location and in response thereto 2) activate the camera module and 3) activate the transmitter to transmit a data stream including the data from the camera module. Again, no such structure is taught by Peters. On page 2 of the Office Action, Examiner states that Peters discloses apparatus coupled to the transmitter and the camera module and adapted to detect a security breach at the location and activate the transmitter to transmit including the data from the camera module. However, in Applicants' claims the apparatus in response to detecting a security breach activates the camera module and activates the transmitter. Again, the Examiner admits that Peter discloses apparatus coupled to the transmitter and the

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camera module, and which is adapted to detect a security breach at the location and activate the transmitter.

Examiner does not state that the camera module in Peters is also activated. Because Peters simply does not teach apparatus that in response to detecting a security breach activates a transmitter and a camera module, as the Examiner admits, Peters does not, and cannot, function as section 102 prior art against the claims in this case.

Clearly, the structure of Peters does not have all of the structural features of the invention claimed in Applicants' independent claims 6 and 18. Thus, claims 6-9, 16-21, 23, and 24 are not anticipated by Peters, since each and every element as set forth in the claims is not found, either expressly or inherently described, in Peters.

For the reasons set forth above, Peters is not a section 102 reference against Applicants' independent claim 1, 6, 11, and 18, which renders moot the rejection of those claims an independent claims 2-4, 7-9, 12-14, 17-21, 23, and 24. Applicants respectfully traverses all the section 102 rejections of claims 1-4, 6-9, 11-14, 16-21, 23, and 24, and any claim not specifically addressed is not to be construed as an admission of agreement as to the Examiner's

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position with respect thereto. To the contrary, it is to be understood that Applicants traverse all the section 102 rejections of claims 1-4, 6-9, 11-14, 16-21, 23, and 24, and that Applicants believe they have met their burden to the extent of their arguments set forth herein to overcome the Examiner's reliance on Peters as a section 102 reference.

**Section 103 - Peters (U.S. Patent 5,717,379)**

Claims 5, 10, 15, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peters (U.S. Patent 5,717,379). Applicant respectfully traverses this rejection.

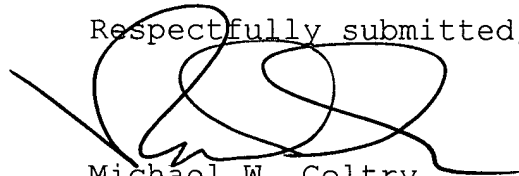
Claims 5, 10, 15, and 22 are dependent claims. For the reasons set forth above, Peters fails to teach Applicants' invention claimed in independent claims 1, 6, 11, and 18, which renders moot the section 103 rejections of dependent claims 5, 10, 15, and 22.

In Sum

Clearly, the subject matter presently claimed by Applicants is not shown in Peters, and claims 1-24 are believed to be in condition for allowance. Accordingly, it is respectfully asserted that Applicants' claims 1-24 are clearly allowable and the case is now in condition for allowance. Furthermore, Applicants submit that dependent claims 2-5, 7-10, 12-17, and 19-24 add additional novel features and are, a-fortiori, patentable. The cited and non-applied subsidiary references have been noted and reviewed, but are submitted to be less relevant than the relied-upon references.

Examiner's thorough and thoughtful consideration of this application is sincerely appreciated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael W. Goltry', is written over the typed name and registration number.

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